

ROBERTA L. STEELE, SBN 188198 (CA)  
 MARCIA L. MITCHELL, SBN 18122 (WA)  
 JAMES H. BAKER JR, SBN 291836 (CA)  
 KENA C. CADOR, SBN 321094 (CA)  
 MARIKO M. ASHLEY, SBN 311897 (CA)  
 U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
 San Francisco District Office  
 450 Golden Gate Ave., 5<sup>th</sup> Floor West  
 P.O. Box 36025  
 San Francisco, CA 94102  
 Telephone No. (650) 684-0950  
 Fax No. (415) 522-3425  
 james.baker@eeoc.gov

*Attorneys for Plaintiff EEOC*

CHRISTINA T. TELLADO, SBN 298597 (CA)  
 MARY VU, SBN 323088 (CA)  
 POLSINELLI LLP  
 20249 Century Park East  
 Suite 2900  
 Los Angeles, CA 90067  
 Telephone (310)-556-1801  
 Fax No. (310)-556-1802  
 ttellado@polsinelli.com  
 mvu@polsinelli.com

*Attorneys for Defendant TESLA, INC.*

*(Additional counsel listed on next page)*

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

U.S. EQUAL EMPLOYMENT  
 OPPORTUNITY COMMISSION,

Plaintiff,

vs.

TESLA, INC.

Defendant.

Case No.: 3:23-cv-04984-JSC

**UPDATED JOINT CASE MANAGEMENT  
 CONFERENCE STATEMENT**

1 SARA A. BEGLEY (*admitted pro hac vice*)  
2 DANA E. FEINSTEIN (*admitted pro hac vice*)  
3 POLSINELLI LLP  
4 Three Logan Square  
5 1717 Arch St, Suite 2800  
6 Philadelphia, PA 19103  
7 Telephone: 215-267-3001  
8 Facsimile: 215-267-3002  
9 sbegley@polsinelli.com  
dfeinstein@polsinelli.com

6 TYREE P. JONES JR., SBN 127631 (CA)  
7 POLSINELLI  
8 1401 I Street, N.W.,  
9 Washington, DC 2005-3317  
Telephone No. (202) 783-3300  
tjones@polsinelli.com

10 RAYMOND A. CARDOZO, SBN 173263 (CA)  
11 REED SMITH LLP  
12 101 Second Street, Suite 1800  
13 San Francisco, California 94105-3659  
Telephone No. (415) 543-8700  
Fax No. (415) 391-8269  
rcardozo@reedsmith.com

14 *Attorneys for Defendant TESLA, INC.*

Pursuant to the Court's January 21, 2025, Minute Order (ECF 81), Plaintiff U.S. Equal Employment Opportunity Commission (EEOC) and Defendant Tesla, Inc. (Tesla), (collectively, the parties), hereby submit the following Updated Joint Case Management Conference Statement (CMC Statement). In accordance with the Court's Pretrial Order No. 2 and Civil Standing Order this CMC Statement only addresses new issues. *See* ECF 65; Civil Standing Order at 2, Section E.

**1. Motions**

There are no pending motions, though the parties are continuing to meet and confer on ongoing discovery issues that they anticipate could be submitted to the Court in Discovery Dispute Letters, as summarized below in Section 2 (Discovery).

**2. Discovery**

**a. Status**

On March 3, 2025, in accordance with the parties' Protocol to Limit Discovery for Potentially Aggrieved Individuals (ECF 67-68), the EEOC and Tesla each identified another 10 potentially aggrieved individuals (20 total) for whom they will disclose certain information as defined by the protocol. The parties' disclosures for these identified PAIs are due June 3, 2025.

On March 24, in accordance with the Second ESI Protocol (ECF 88), the EEOC produced its First Privilege Log to Tesla.

**b. Pending Discovery Disputes**

**i. EEOC Communications with plaintiffs in *Department of Fair Employment and Housing v. Tesla, Inc.*, Alameda County Superior Court No. 22CV006830, and *Vaughn, et al. v. Tesla, Inc.*, et al., Alameda County Superior Court No. RG 17882082**

Tesla Statement: On March 24, the EEOC provided Tesla with its First Privilege Log. Tesla is currently evaluating the logged communications and anticipates that it may have disputes concerning some of the withheld communications. Tesla will meet and confer with the EEOC to address any disputes prior to briefing any remaining issues in a joint discovery dispute letter.

**ii. Deposition transcripts in actions concerning race harassment at Fremont Facility.**

EEOC Statement: On February 7, 2025, the Court ordered Tesla to identify by March 7 all actions involving allegations of harassment based on race (Black or African American) or retaliation

at Tesla's Fremont facility, and the number of transcripts to be produced from each action and a reasonable date by which the transcripts will be produced. *See* ECF 87. Tesla identified the actions it believes to be responsive and has committed to producing responsive transcripts by May 6, 2025, which would resolve this dispute.

**3. Settlement and ADR**

The parties' position that ADR is premature has not changed. The parties request that the Court extend the deadline to select an ADR process to November 24, 2025. The current deadline for the parties to select an ADR process is May 26, 2025. *See* ECF 65.

Dated: December 5, 2024

ROBERTA STEELE  
Regional Attorney

MARCIA L. MITCHELL  
Assistant Regional Trial Attorney

JAMES H. BAKER  
Senior Trial Attorney

KENA C. CADOR  
Senior Trial Attorney

MARIKO M. ASHLEY  
Senior Trial Attorney

BY: /s/ James H. Baker  
James H. Baker  
U.S. EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION  
San Francisco District Office  
450 Golden Gate Ave., 5th Floor West  
P.O. Box 36025  
San Francisco, CA 94102  
Telephone (650) 684-0950  
james.baker@eeoc.gov

*Attorneys for Plaintiff EEOC*

BY: /s/ Tyree P. Jones Jr.  
Tyree P. Jones Jr., SBN 127631 (CA)  
POLSINELLI  
1401 I Street, N.W.,  
Washington, DC 20005-3317  
Telephone No. (202) 783-3300  
*Attorneys for Defendant Tesla Inc.*

**LOCAL RULE 5-1(i)(3) ATTESTATION**

I, James H. Baker, am the ECF User whose ID and password are being used to file the Joint Case Management Conference Statement. In compliance with Local Rule 5-1(i)(3), I hereby attest that Tyree P. Jones concurs in this filing.

Dated: March 26, 2025

/s/ James H. Baker

James H. Baker, Senior Trial Attorney